

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 340 - SB 1435

March 8, 2021

**SUMMARY OF ORIGINAL BILL:** Requires any person conducting an interview or interrogation of a child taken into custody for suspicion of the commission of a delinquent act or unruly conduct to make a video recording of such interview or interrogation. Specifies that such requirement is not subject to waiver.

FISCAL IMPACT OF ORIGINAL BILL:

Increase Local Expenditures – Exceeds \$40,200/FY21-22\*  
Exceeds \$6,700/FY22-23 and Subsequent Years\*

**SUMMARY OF AMENDMENT (003678):** Deletes and replaces all language after the enacting clause such that the substantive changes are to: (1) specify such requirement is for a law enforcement officer conducting a formal interview or interrogation of a child at a law enforcement facility; and (2) authorize an exception to the requirement if a law enforcement officer in good faith believed the interview or interrogation was being recorded and there was a technical issue with the equipment or exigent circumstances existed at the time of interview or interrogation.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- Requiring video recordings to be made when interviewing or interrogating children taken into custody will increase expenditures for local law enforcement agencies.
- There are approximately 449 local law enforcement agencies that would be responsible for video recording any interview or interrogation of a child concerning a delinquent act or unruly conduct.
- This analysis estimates that a minimum of 15 percent of these agencies would need to purchase cameras, camera related hardware and equipment, and video archiving technology, including but not limited to servers or server space, in order to meet the provisions of the proposed legislation.
- At least 67 (449 x 15%) local law enforcement agencies will require acquisition of cameras and other related technology to effectuate the purposes of this legislation.

- A minimum cost of \$500 for any camera related technology.
- The mandatory one-time increase in local expenditures in FY21-22 for camera technology is estimated to exceed \$33,500 (67 minimum agencies x \$500) statewide.
- The proposed legislation will result in additional recurring costs in FY21-22 and subsequent fiscal years for maintenance, video archiving server space, depreciation and other related costs estimated to exceed 20 percent of all equipment costs, the mandatory recurring increase in local expenditures is estimated to exceed \$6,700 (\$33,500 x 20%) statewide.
- The total increase in local expenditures resulting from the proposed legislation in FY21-22 is estimated to exceed \$40,200 (\$33,500 + \$6,700).
- Any impact to state or federal government resulting from the proposed legislation is estimated to be not significant.

*\*Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

## **CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.



Bojan Savic, Interim Executive Director

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